

1997

## Volume 23

Canada-United States Law Journal

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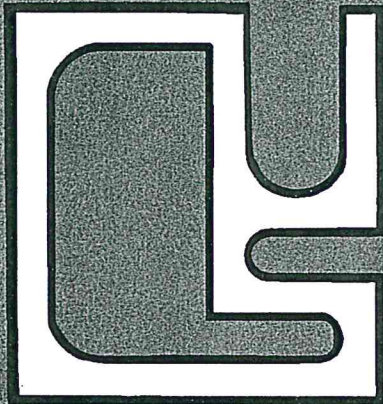
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### Recommended Citation

Canada-United States Law Journal, *Volume 23*, 23 Can.-U.S. L.J. Iss. (1997)  
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# Canada- United States Law Journal

Volume 23

1997

## NAFTA REVISITED

Conducted Under the Auspices of

THE CANADA-UNITED STATES LAW INSTITUTE

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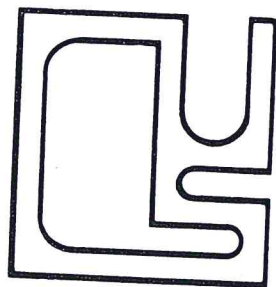
Cleveland, Ohio  
April 18-20, 1997

*Conference Chairman*  
Henry T. King, Jr.



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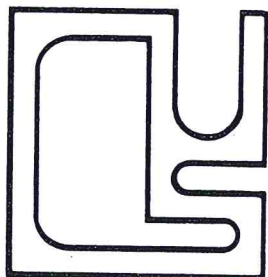
Volume Twenty-Three  
1997

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14 74 CS 3636  
03/99 XL  
00-104-06 GBC

On behalf of the Canada-United States Law Institute, the *Journal* gratefully acknowledges founding grants from the governments of Canada and the United States as well as the following foundations: The William H. Donner Foundation (U.S.); The Richard Ivey Foundation (Canada); The Cleveland Foundation (U.S.); The Ontario Bar Foundation (Canada); and The George Gund Foundation (U.S.).





## Canada- United States Law Journal

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Cleveland, Ohio  
April 18-20, 1997

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## SPEAKERS AT THE CANADA-U.S. LAW INSTITUTE CONFERENCE ON NAFTA REVISITED

**M. JEAN ANDERSON** is a senior partner at Weil, Gotshal & Manges where she specializes in international trade negotiations, trade proceedings, trade legislation, and international trade and regulatory strategies. She has been counsel to the Government of Canada on the NAFTA negotiations as well as on NAFTA and GATT implementation legislation. She has successfully represented U.S. and non-U.S. companies in complex anti-dumping and countervailing duty cases and has represented clients in Section 301 proceedings. Prior to joining Weil, Gotshal & Manges, Ms. Anderson was Chief Counsel for International Trade at the U.S. Department of Commerce. In that position, she was a principal negotiator of the U.S.-Canada Free Trade Agreement and a primary architect of the Chapter 19 dispute settlement system. She has also chaired the NAFTA Task Force, the International Trade Committee, and the Canada Committee of the American Bar Association's International Law Section. Ms. Anderson been an adjunct professor of international trade law at Georgetown University Law Center. She holds degrees from l'Institut d'Etudes Politiques of the University of Paris, Northwestern University, and Georgetown University Law Center.

**RONALD G. ATKEY** is a senior partner at the law firm of Osler, Hoskin & Harcourt where he specializes in government regulation and international business and transactions. Currently, he is Co-chair of the Public Law and Regulatory Affairs Department. Mr. Atkey served as a Member of Parliament from 1972 to 1974 and again from 1979 to 1980 when he was Minister of Employment and Immigration. From 1984 to 1989, he served as the first chairman of the Security Intelligence Review Committee established to oversee the Canadian Intelligence Service. From 1967 to 1977, he was a professor of constitutional and administrative law at the University of Toronto, Osgoode Hall Law School, and the University of Western Ontario. Currently, Mr. Atkey is a director of Daiwa Bank Canada, Time Warner (Canada) Ltd., Nikon Canada Inc., Canadian Film Centre, Toronto Symphony Orchestra, Canadian Civil Liberties Association, and the International Commission of Jurists.

**ANDRÉ BEAULIEU** has recently joined Monitored Company in



Toronto, Ontario. Prior to that he was with the Canadian government as the Executive Assistant for the Deputy Minister of Intergovernmental Affairs in the Privy Council Office. Previously, he was a member of the United Nations team that organized the Earth Summit in Rio de Janeiro in 1992. He acted as consultant for the Montreal International Development Corporation and the Canadian National Round Table on the Environment and the Economy. Mr. Beaulieu co-authored a book entitled *THE ENVIRONMENT AND NAFTA: NEW CONTINENTAL LAW AND POLICY*. In 1995, as a guest of the U.S. State Department International Visitors Program, he spoke to business persons and public officials about NAFTA-related issues.

**GREG M. BLOCK** is one of two directors at the Commission for Environmental Cooperation (CEC) in Montreal, Quebec. He was Legal Division Head at the CEC from November 1994 through July, 1995. From 1987 through 1992, Mr. Block litigated environmental cases at Thelen, Marrin, Johnson and Bridges in San Francisco, California. Mr. Block taught U.S. and comparative environmental law under the auspices of a Fulbright Lecture Grant at the Instituto Tecnológico Autónomo de México in Mexico City.

**ROBERT CASSIDY** is a former general counsel of the U.S. Trade Representative. He has been the senior counsel for the Southern Finance Committee on trade matters. He is currently a senior partner in Wilmer, Cutler & Pickering, a major Washington law firm.

**BRADLY CONDON** is the Director of the Council for North American Business Studies, a member of the Board of Directors of the Canadian Foundation for the Americas, and teaches international trade policy at Simon Fraser University. He has been a guest lecturer in law faculties at the National University of Mexico and the University of British Columbia. He has testified before the Canadian Senate and Parliamentary Joint Committee on Foreign Affairs regarding international trade and education policy. Mr. Condon has held teaching positions at McGill Law School in Montreal and the Anglo-American Institute in Mexico City. He has published numerous articles and was selected by the United States Government to participate in the 1995 Congressional International Program on International Trade. He was chosen to design a program on international trade for the 1996 Commonwealth meeting of lawyers and judges in Vancouver. Mr. Condon holds a B.A. from the University of British Columbia, a law degree from McGill University, and an M.A. from the University of Calgary.

**RICHARD O. CUNNINGHAM** is a partner at the law firm of Steptoe & Johnson, L.L.P. where his current practice is devoted primarily to issues of international trade policy and to international litigation. He has both prosecuted and defended import relief cases under the anti-dumping and countervailing duty laws and Sections 201, 337, and 406. He has also participated in product liability and class action litigation,



trade policy issues such as access to foreign markets, foreign investment in the U.S., trade in services, customs, and intellectual property issues. Further, Mr. Cunningham advises U.S. and foreign companies on international transactions, on countertrade and other aspects of dealing with non-market economics, and on the development and implementation of international competitiveness strategies. He is Chairman Emeritus of the of the American Bar Association Standing Committee on Customs Law. Mr. Cunningham has an A.B. and law degree from George Washington University.

**RICHARD DEARDEN** is a partner in the Ottawa-based law firm of Gowling, Strathy and Henderson specializing in the area of international trade law litigation. He has served as counsel in anti-dumping actions, countervailing duty actions, and customs matters (classification, valuation, and seizures) before the Canadian International Trade Tribunal, the Federal Court of Canada, and a binational panel under NAFTA. Mr. Dearden represented the government of Mexico during the NAFTA negotiations and the USTR during the Canada/U.S. Free Trade negotiations. He was retained by the Government of Chile to provide negotiating advice regarding a Chile/Canada Free Trade Agreement. A frequent speaker and writer on international trade law matters, Mr. Dearden received his law degree from the University of Ottawa.

**JENNIFER S. FONG** is presently an associate lawyer at the New York office of the Toronto-based law firm of Osler, Hoskins & Harcourt, having joined the firm in 1993. She has served as assistant counsel at Rainbow Programming, the television division of Vision Systems Corporation, and in that capacity was providing advice in connection with American Movie Classics, the Independent Film Channel, Bravo, and News 12 Program Services. At Osler, Hoskins and Harcourt, she practices in the firm's public law and regulatory affairs department. She has served as an advisor to international clients seeking to gain access to the Canadian market for cable television and direct home satellite television broadcasting, and she has also assisted U.S. entertainment companies in completing acquisitions of Canadian businesses involved in book and periodical publishing and distribution.

**WILLIAM C. GRAHAM** is a Member of Parliament, where he currently Chairs the Standing Committee of the House of Commons on Foreign Affairs and International Trade. Prior to being elected to Parliament, Mr. Graham was a professor at the Faculty of Law, University of Toronto, where he taught international trade law, public international law, and European Community law. From 1986 through 1988, he was



tional trade, intellectual property, and successful export strategies. Earlier in his career, Mr. McIlroy practiced commercial litigation and international trade law. In 1984, he was appointed Senior Policy Advisor to Canada's Minister for International Trade where he assisted in launching the Canada-U.S. Free Trade Agreement and was involved with a wide range of trade policy issues, including GATT. Mr. McIlroy has worked on disputes between Canada and the United States in anti-dumping and countervailing duty cases, and in recent years has helped launch the NAFTA negotiations. He holds a B.S. from Universite de Montreal, an M.A. from the Sorbonne, and an LL.B from Osgoode Hall Law School.

**EWELL E. MURPHY, JR.** is a retired partner in the Houston-based law firm of Baker & Botts, L.L.P., where for seventeen years he was Chairman of the firm's international department. He has served as Chairman of the Houston World Trade Association, the Houston Committee on Foreign Relations, and the Section of International Law and Practice of the American Bar Association. He is a trustee of the Southwestern Legal Foundation and has served as Chairman of the Advisory Boards of its International and Comparative Law Center and Institute for Transnational Arbitration. Following his retirement, Mr. Murphy served as Chairman of the J. William Fulbright Foreign Scholarship Board in Washington, D.C. He is currently a Distinguished Lecturer at the University of Houston Law Center and a Visiting Professor at the University of Texas School of Law in Austin, Texas. Mr. Murphy received his B.A. and LL.B. from the University of Texas at Austin, and the degree of Doctor of Philosophy from Oxford University, England, which he attended as a Rhodes Scholar.

**ALEJANDRO NADAL** is currently a professor at the Centre for Economic Studies, El Colegio de Mexico where he coordinates the Science and Technology Programme. He has published widely in Spanish. His latest publication is a book on Mexican fisheries entitled *ESFUERZO Y CAPTURA: TECNOLOGIA Y SOBREEXPLOTACION DE RECURSOS MARINOS VIVOS* (El Colegio de Mexico). He has also published several articles in English, including the following: *Choice of Technique Revisited: A Critical Review of the Theoretical Underpinnings*, *World Development*, *ICBM Trajectories: Some Issues for the Superpowers' Neighbors*, *Journal of Peace Research* (Vol. 27, No. 4, 1990) and *Balance of Payments Provisions on the GATT and NAFTA* *Journal of World Trade* (Vol 30 No. 4 August 1996. Mr. Nadal has a law degree from the Universidad Nacional Autonoma de Mexico and has a Ph.D in economics from the University of Paris, Nanterre.

**JOSEPH S. PAPOVICH** is Deputy Assistant Trade Representative for Intellectual Property (TRIP) in the Office of the U.S. Trade Representative. He is responsible for a wide range of U.S. governmental efforts to improve the protection of U.S. intellectual property in other countries. He is currently the head of the U.S. delegation to the TRIPS



Council and chairs the interagency committee conducting the annual "Special 301" review of the degree to which other countries provide adequate and effective protection of intellectual property. From 1992 to 1993, he was Deputy Assistant Trade Representative for Industry and served as chairman of the Multilateral Steel Agreement negotiating group in Geneva. In 1991 and into 1992, he served as Senior Agricultural Trade Policy Advisor at USTR where he participated in negotiation of the agricultural component of the NAFTA. Earlier in his career, Mr. Papovich was USTR's Director of Middle Eastern Affairs, Director of Steel Policy, and liaison with organized labor.

**SIMON V. POTTER** is a partner with the law firm of Ogilvy Renault where he specializes in administrative law as it relates to international trade, competition, and commercial and corporate litigation. He is chairman of the Ogilvy Renault committee on the Free Trade Agreement and is a member of a roster of twenty-five Canadians available to sit on panels for binding review of Canadian and American anti-dumping and countervailing determinations. He was chairman of the Binational Panel which reviewed the U.S. International Trade Commission's finding of threat of material injury from subsidized Canadian pork. He was also a member of both the Binational Panel which reviewed the U.S. Department of Commerce determinations regarding the subsidization of Canadian live swine. That panel also heard a case brought by Canada as to the legality, under Article XI of the GATT, of American provisions relating to minimum lobster size. Mr. Potter holds a B.C.L. from McGill University Faculty of Law and an A.B. from Dartmouth College.

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**JOHN A. RAGOSTA** has represented corporations, associations, and governments with respect to some of the most complex trade litigation and resulting negotiations of the 1980s and 1990s. He was intimately involved in the successful prosecution of the Super 301 case against Japan brought by the U.S. Alliance for Wood Products Exports. He was also involved in the 1992 and 1986 countervailing duty cases against Canada brought on behalf of the U.S. Coalition for Fair Lumber Imports. He was involved in the subsequent negotiation of the U.S./Japan Wood Products Agreement, the U.S./Canada Softwood Lumber Agreement, and the relevant provisions of the U.S./Canada Free Trade Agreement and FTA implementation legislation. Mr. Ragosta has advised clients on various aspects of the GATT Uruguay Round and has assisted sector and policy advisory groups on agreements. He has also advised governments and industry concerning GATT and U.S./Canada Free Trade Agreement dispute settlement proceedings. Mr. Ragosta re-



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*CANADA/U.S. LAW INSTITUTE CONFERENCE*  
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*NAFTA REVISITED*

*April 18-20, 1997*

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